

REMARKS

Claims 1-11, 13-30, and 32-35 are pending.

During a telephone interview with Examiner Marks on April 30, 2004, the Examiner indicated that the claim term "during operation" at the end of prior Claims 1 and 25 did not preclude an "attract mode" light display where any lights on a conventional slot machine are flashing to attract players when the slot machine is not being actively played. The Examiner indicated over the phone that precluding an attract mode would overcome the presently cited references but that she would have to further consider the claims. She required that Applicant file a Request for Continued Examination to consider the amended claims.

The below remarks summarize the reasons why the present claims are allowable over the previously cited art.

The Examiner previously rejected Claims 1-9, 12-20, 23-28, and 31-35 as being unpatentable over Brossard (U.S. Pat. No. 6,302,790) further in view of Forbes (U.S. Pat. No. 6,043,615). The Examiner indicated that Brossard's attract mode (col. 5, lines 50-52) would create the claimed "visual effects that do not affect an outcome of the game and that change based on variable aspects of the gaming machine during operation." However, the attract mode is only active during periods when the gaming machine is not actively being played. The following language in Applicant's amended Claim 1 clearly distinguishes over Brossard's attract mode in multiple ways:

a border at least partially surrounding the display, the border comprising a plurality of lamps of multiple colors, the lamps being selectively illuminated, pursuant to signals from the processing circuitry, to create a plurality of visual effects that do not affect an outcome of the game and that change based on variable aspects of the gaming machine during operation, during operation being a time when the gaming system is actively being played.

According, Brossard's attract mode has nothing to do with Applicant's Claim 1.

The Examiner also relied on Brossard's description of a brief period after a win when all the bonus indicia 418 are illuminated before being selectively unilluminated to identify a bonus (i.e., the outcome of the game). (See col. 7, lines 7-8, 20-35.) Simply illuminating all

the bonus indicia 418 at the start of the bonus selection cannot suggest the above-quoted portion of Claim 1 since there is no selective illumination. Further, all of the illumination patterns of the bonus indicia 418 after the reels have stopped and after the full illumination are for the purpose of determining the outcome of the game. The indicia 418 must be initially lit in order to be sequentially unlit to select the bonus. During the game, the sole purpose of the bonus indicia 418 being lit or unlit is to determine the outcome of the game. In Applicant's Claim 1, the border lights and visual effects produced by the border have no effect on the outcome of the game.

Since neither example provided by the Examiner of Brossard's "visual effects" meets the language of amended Claim 1, even if the bonus indicia 418 were distributed around the reels, Brossard cannot supply motivation for Applicant's Claim 1.

The Examiner cites the Forbes patent for its teaching of colored lamps in a gaming machine, but the Forbes patent does not teach or suggest the arrangement of lamps and function of lamps recited in Applicant's claims.


The independent method Claim 25 corresponds to the device Claim 1. As with Claim 1, the "display" of Claim 25 is for displaying a game. Brossard does not disclose border lamps around any display that displays a game. Other reasons for the patentability of Claim 25 are the same as those given for Claim 1. Accordingly, Brossard in combination with Forbes could not suggest Claim 25.

The remaining claims are dependent on Claims 1 and 25 and so are patentable for at least the reasons given for the patentability of Claims 1 and 25.

In view of the above arguments, Applicant respectfully requests allowance of all pending claims. Should the Examiner have any questions, the Examiner is invited to call the undersigned at (408) 382-0480 ext. 202.

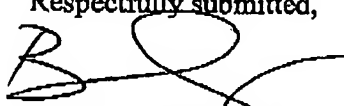
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